

Questions for Tova Wang (Common Cause)

Primary Senator asking questions: Gallegos

Q. Doesn't it solve the problem for those lacking a photo ID that under this legislation you can produce two other forms of ID?

Q. Is there a great deal of voter fraud in the U.S. that justifies a voter ID?

Q. What financial costs are there to the state if enacts a voter ID requirement? [Are these costs one-time or are they recurring? Explain.]

Q. How many cases of election fraud brought by the United States Department of Justice over the last several years were of the type that would have been addressed by voter identification?

Q. Are there laws on the books right now that allow for prosecution of people who commit voter fraud? Is there any proof that these laws are not working?

Q. Do most states have a photo ID requirement? Do the states that don't impose a photo ID requirement have huge fraud problems?

Q. If the state provides a free ID to everyone, will it really be free? (Follow-up, if needed: Wasn't Indiana's ID free? How did the "free" ID work in that state?)

Q. In states that have voter ID requirements, are there any studies that have been done which show that the ID requirements in those states have not been applied evenhandedly?

Q: Please discuss the problems with vesting thousands of election judges with the authority to verify additional requirements.

Q: Can you comment on the likelihood that election judges will ask African Americans, Hispanics, and Asian Americans for proof of their ID at a higher rate than other voters?

Questions for Adam Skaqgs (Brennan Center)
Primary Senator asking questions: Davis

Q. What did the Brennan Center's 2006 nationwide survey show about the % of people who cannot prove citizenship or who lack government issued photo ID.

Q. How is voter fraud not a problem if both the U.S. Department of Justice and the Texas Attorney General have launched widespread investigations and prosecutions of voter fraud?

Q. While you say that there is little evidence of voter impersonation, but what about all the examples last year of groups like ACORN submitting false registrations – like the entire roster of the Dallas Cowboys?

(the following questions for this witness are similar to those which should be asked of Republican witnesses, but we need to ask a Democratic witness in order to get the accurate answers)

1. Regarding the Indiana case...in the Supreme Court case, no party or *amicus* cited even one case of impersonation at the polls in Indiana to the Supreme Court. Would it surprise you to learn that more Indiana voters have been disenfranchised by the law in the last two years than the number of reported cases of impersonation at the polls cited to the Supreme Court – or from anywhere in the country - in the last two decades? [the answer includes the following bullet points]

- In limited-turnout local elections in Marion County, Ind. in 2007, 32 voters cast ballots that could not be counted because of the voter ID law. Moreover, **these were long-time voters: 14 of them had previously voted in at least 10 elections.**
- At least 10 retired nuns in South Bend, Ind., were barred from voting in the 2008 Indiana Democratic primary election because some of them were in their 80's and 90's and no longer had driver's licenses. **The supreme irony was that the nuns whose votes can't be accepted by a bunch of nuns because they don't have an ID...live with them in the polling place in their convent.**
- At least six other people also were relegated to filing provisional ballots. Among them was Lauren McCallick, an 18-year-old freshman at St. Mary's College in South Bend, who said she got "teary-eyed" and then angry at being rejected the first time she was old enough to vote.

2. Voter ID advocates cite "studies" that attempt to show Voter ID laws do not suppress turnout, and even try to claim turnout increases in Indiana and Georgia were caused by Voter ID laws. These "studies" compare turnout between election cycles - between 2002 and 2006 or 2004 and 2008. Obviously, turnout can vary a lot between election cycles based on enthusiasm, candidates, and other factors.

a. Honestly, isn't the real cause for the 2008 turnout increase in Indiana really all about Barack Obama and John McCain and the excitement they generated and resources they spent in a state that wasn't even competitive in 2004?

b. Wouldn't a more valid analysis compare states with and without Photo ID requirements, over a period spanning several election cycles or the same national election cycle?

3. How do you explain the fact that every time a thorough independent study looks into claims made repeatedly by Voter ID supporters that suggest thousands of dead people or non-citizens are registering and possibly voting, those claims are, without exception, proven to be wildly off base?

(See briefing paper on Unsubstantiated GOP Claims for answer/facts)

4. You have mentioned the Indiana experience, but even Appeals Judge Posner, an outspoken conservative appointee, said in his opinion upholding the Indiana photo ID law: "No doubt most people who don't have photo ID are low on the economic ladder and thus, if they do vote, are more likely to vote for Democratic than Republican candidates. Thus the new law injures the Democratic Party by compelling the party to devote resources to getting to the polls those of its supporters who would otherwise be discouraged by the new law from bothering to vote." His comment seems to illustrate why Republicans use voter fraud claims to justify vote suppression activities that date back decades and continue today. Do you know of any evidence of systematic voter fraud to contradict findings from academic studies that suggest the only real reason for the photo ID push is to provide Republicans a partisan advantage?

(See briefing paper on GOP Power Grab for answer/facts)

Questions for Gerry Hebert (Campaign Legal Center)
Primary Senator asking Questions: West

Q. What examples can you provide that TX AG Abbott has administered TX election laws in an unfair manner?

Q. Are there instances of voter fraud that have not been prosecuted by AG Greg Abbott? (Highland Park)

Q. What about those who claim that there are noncitizens on the voter rolls? Will a photo ID law for voting stop that?

Q. We hear a lot about noncitizens being on the voter rolls. What can you tell us about that issue, how it happens if it does?

Q. Do you need a photo ID to board an airplane or cash a check? (Answer is no)

Q. How does the legal standard that DOJ will employ to any TX voter ID law differ from the legal standard that the Supreme Court used to decide the Indiana voter ID case?

Q. So the Indiana voter ID decision really is totally unrelated to the narrow legal issue that DOJ will decide under the Voting Rights Act? (Yes)

Q. Was AG Abbott's office aware of the voter registration barriers being put up by County officials to block the African American students at Prairie View University in Waller County and if so, what did he do to help the students and protect their voting rights?

Q. Of what relevance is it to obtaining Section 5 preclearance if the vast majority of minority legislators (Latinos, African Americans) vote against a particular bill?

Questions for Chandler Davidson (Professor Emeritus, Rice)

Primary Senator asking questions: Shapleigh

Q. Dr. Davidson, could you explain to the Committee whether Texas and other Southern states have imposed restrictions on the right to vote but nonetheless characterized them as good government reforms?

Q. You agree that there has been a long history of discrimination against minority voters in Texas, correct? How would you compare the proposal to implement a photo ID as a prerequisite to voting with other efforts in Texas to impose certain restrictions on the right to vote?

Q. In practice, the enforcement and verification of additional Voter ID requirements will be left up to thousands of precinct polling place workers. Based on your studies of Texas cases, is there reason to believe that there is a serious potential for discriminatory enforcement of ID requirements at the polls?

Q. Again, based on your knowledge of vote suppression in Texas, what would the State have to do to make sure ID verification is practiced uniformly at all Texas polling places?